

1. A Notice to Proceed requirement will be appended to these (rights-of-way, grants, permits) stipulating that no construction or use shall occur until detailed construction and use plans have been received and approved by the authorized officer.
2. All activities associated with the project will be conducted in a manner that will avoid or minimize degradation of air, land, and water quality. In the construction, operation, maintenance, and termination of the projects, activities will be performed in accordance with applicable air and water quality standards, and related plans of implementation, including but not limited to, the Clean Air Act, as amended (42 USC 1321) and the Clean Water Act as amended (USC 1251).
3. Permittees and other regular users of public lands affected by construction of the projects will be notified in advance of any construction activity that may affect their businesses or operations. This will include, but not be limited to, signing of temporary road closures, and notification of proposed removal and/or cutting of fences, and disturbances to range improvements or other use-related structures.
4. During the final survey of the linear facilities (pipelines, transmission lines, etc.), the centerline and outside boundaries of the linear facilities will be staked and flagged. Stakes will be no more than 200 yards apart on open rangelands and a maximum of 100 feet apart on forested lands. Holder/operator name and station numbers of the survey will be written on each stake or hub. Where the linear facilities parallel an existing line, the existing line will be flagged where necessary to avoid disturbance of the existing line. The Authorized Officer reserves the right to make adjustments in right-of-way alignment as may be necessary to minimize environmental impacts.
5. The Company shall, at all times during construction, maintenance, and operation, maintain satisfactory spark arrestors on all steam and internal combustion engines and on all flues used in operations under this grant.
6. The Company shall furnish the Authorized Officer with engineering drawings of the existing ground profile and plan, and profile views of the facilities to be constructed. These drawings must portray typical cross sections (i.e., cut, fill, bench sections, etc.) at representative points along or within the right-of-way.
7. Prior to placing the pipeline system in operation, the Holder shall inspect all new main line girth welds using radiographic or other techniques approved by the Authorized Officer.

Holder agrees that any welding required on the converted line on Federal lands shall be inspected using radiographic or other techniques approved by the Authorized Officer.

Holder shall provide for inspection of pipeline system construction to ensure compliance with the approved design specifications and these stipulations.

8. At least one year prior to termination or to abandonment of the facilities authorized by this grant, the Holder shall contact the Authorized Officer to arrange a joint inspection of the right-of-way. The inspection will be held to agree on an acceptable abandonment and rehabilitation plan. The Authorized Officer must approve the plan in writing prior to the Holder commencing any abandonment and/or rehabilitation activities. The plan may include removal of drainage structures or surface material; recontouring; replacement of topsoil; seeding, mulching, etc.
9. The Company shall install and use Federal Communication Commission approved radio equipment in such a way that it will not interfere with the operation of other users' equipment. If, however, there is a radio or electronic interference with other users' operation which is traceable to the grantee's equipment, the Company shall immediately make such modifications to its equipment as shall eliminate the cause of interference at no cost to the Government or will discontinue use of said equipment until cause of interference has been eliminated.
10. Prior to the beginning of operations, the Holder shall submit to the Authorized Officer a certification of construction, verifying that the facility has been constructed and tested in accordance with the terms of the right-of-way grant, and in compliance with the required plans and specifications, and applicable federal and state laws and regulations. An "as built" survey map will be submitted to the Authorized Officer within 60 days after construction is completed.
11. Upon receipt of a certification of construction, when all development and rehabilitation have been completed, a joint compliance check of the right-of-way shall be made by the Company and the Authorized Officer or designated representative to determine compliance with the terms and conditions of the grant. The Company shall perform, at its own expense, any required modifications or additional reclamation work for compliance with the terms of the grant.
12. The Company shall conduct all activities directly or indirectly associated with the construction, operation, and maintenance of this facility within the limits of these (rights-of-way, permits). In the event that areas outside of the (rights-of-way, permits) are needed, the Company shall obtain a separate authorization for that use.
13. The Holder shall comply with the applicable federal and state laws and regulations concerning the use of pesticides (i.e., insecticides, herbicides, fungicides, rodenticides, and other similar substances) in all activities/operations under this Grant. The Holder shall obtain from the Authorized Officer approval of a written plan prior to the use of such substances. The plan should be submitted no later than December 1 of any calendar year that covers the proposed activities for the next fiscal year (i.e., December 1, 1983, deadline for a fiscal year 1985 action). If need for emergency use of pesticides is

identified, the use must be approved by the Authorized Officer. The use of substances on or near the right-of-way shall be in accordance with the approved plan. A pesticide shall not be used if the Secretary of the Interior has prohibited its use. A pesticide shall be used only in accordance with its registered uses and within other limitations if the Secretary has imposed limitations. Pesticides shall not be permanently stored on public lands authorized for use under this Grant.

14. The Company shall construct, operate, and maintain the facilities and structures within these (grants, permits) in strict conformity with the descriptive and technical data which was furnished the BLM or the FS in connection with the application for these (grants, permits). Any relocation, additional construction, or use which is not in accord with such data may not be initiated without the prior written approval of the Authorized Officer. A copy of the complete application and a copy of the (grant, permit) stipulations shall be available on location during construction and rehabilitation to all supervisory personnel and to the Authorized Officer. Noncompliance with the above will be grounds for the Authorized Officer to shut down the operation until compliance is obtained.
15. The Company shall schedule and attend a preconstruction conference with the Authorized Officer and his representative prior to commencing any construction activities on these (rights-of-way, permits). The Company or his representative and all of his contractors or agents involved with construction under these (rights-of-way, permits) shall attend this conference. The Company shall contact the Authorized Officer or his representative at least 10 working days (2 weeks) prior to the anticipated start of construction to schedule this conference.
16. The requirements within the Erosion Control, Revegetation, and Reclamation Guidelines and FS-BLM Rooding Guidelines for Oil and Gas Development will be followed in the development of the CU Plans and in developing procedures for the APDs.
17. Holder shall conduct all construction, operation, and maintenance activities in a manner that will avoid or minimize degradation of air, land, and water quality. Toxic material shall not be released in any lake or water drainage. All construction work and subsequent use of the right-of-way shall be consistent with applicable federal, state, and local laws and regulations relating to safety, water quality, and public health. Unless otherwise approved in writing by the Authorized Officer, dikes or cofferdams shall be installed to separate concrete work areas from lakes or streams during construction. Mobile ground equipment shall be kept within the right-of-way and out of the waters of lakes, streams or rivers except as permitted by the Authorized Officer.
18. It shall be the responsibility of the Holder to comply with the construction practices and mitigating measures established by 33 CFR 323.4 which set forth the parameters of the "nationwide permit" required by Section 404 of the Federal Water Pollution Control Act. If the proposed action exceeds the parameters of the nationwide permit, the Holder shall obtain an "individual permit" from the appropriate

office of the Corps of Engineers and provide BLM a copy of that permit prior to commencing actual construction. Failure to comply with this requirement shall be cause for revocation of this right-of-way grant.

19. The power transmission and distribution lines shall be designed and constructed in accordance with accepted standards and specifications for power transmission lines of similar voltage, capacity, and purpose. The Company shall place and maintain suitable structures and devices to reduce to a reasonable degree, the liability of contact between its power transmission line and telegraph, telephone, signal, or other power transmission lines heretofore constructed and shall also place and maintain suitable structures and devices to reduce to a reasonable degree, the liability of any structures or wires falling or obstructing traffic or endangering life on highways or roads.
20. Natural phenomena which occur on government land, such as avalanches, rising waters, high winds, falling limbs or trees, and other hazards, present risks to the Company's property which the Company assumes. The Company has the responsibility of inspecting the site, right-of-way, and immediate adjoining area for dangerous trees, hanging limbs, and other evidence of hazardous conditions and, after securing permission from the FS or BLM, of removing such hazards in order to protect the Company's improvements.
21. The Company shall perform all work with explosives and flammable materials in such a manner as not to endanger life or property. All storage places for explosives and flammable material shall be marked "DANGEROUS". The method of storing and handling explosives and flammable materials shall conform to recommended procedures contained in the "Blasters Handbook" published by E. I. du Pont de Nemours and Company, and in all federal, state, and local laws and regulations.
22. These (rights-of-way, permits) do not convey access across private, patented, state or fee lands. These (rights-of-way, permits) are issued on the condition that the Company has secured or will secure the necessary additional rights-of-way. The Company shall be required to show that they have secured consent for access across private, patented, state, or fee land prior to BLM-FS granting rights-of-way or permits.
23. No signs or advertising devices shall be erected on the area designated by this permit or highways leading thereto, without prior approval by the FS or BLM as to location, design, size, color, and message. Erected signs shall meet standards provided by the Authorized Officer and be maintained or renewed as necessary.
24. The Company shall protect all survey monuments, witness corners, reference monuments, and bearing trees within these (rights-of-way, permits) against disturbance during construction, operation, maintenance, and rehabilitation. If any monuments, corners, or accessories are destroyed, obliterated, or damaged during construction, operation, or maintenance, Holder shall secure the services of a Registered Land Surveyor to restore the disturbed monuments, corners, or accessories, at the same location, using surveying procedures found in the



Manual of Surveying Instructions for the Survey of the Public Lands of the United States, latest edition. Holder shall record such survey in the appropriate county and shall send a copy to the Wyoming State BLM Office, P.O. Box 1828, Cheyenne, Wyoming 82001.

25. Garbage and other refuse will be stored in containers at all times and disposed of at least once a week in authorized county-approved sanitary site or landfill. Used engine oil which is changed on federal lands will be stored in suitable containers and delivered to secondary refineries. No fuel, oil, or other hydrocarbon spills are permitted. If such a spill accidentally occurs, the Authorized Officer will be notified immediately and corrective measures undertaken as directed.
26. Within 30 days after conclusion of construction and operation, all construction materials related litter and debris shall be disposed of in accordance with instructions from the Authorized Officer.
27. Under the terms of the Endangered Species Act of 1973, the Company will conduct surveys, no more than one year prior to disturbance, to determine if listed species or their habitats might be present on areas to be disturbed by any of the proposed action, or alternatives, regardless of land ownership. If it is determined that listed species or their habitats might be present and could be affected by the proposals, appropriate consultations with the U.S. Fish and Wildlife Service will be conducted by the federal authorizing agency. No activities will be authorized until consultation is complete as specified by Section 7(c) of the consultation process which would specify the mitigation measures to be carried out. The Biological Opinion issued by the Fish and Wildlife Service as a result of the consultation process will specify the mitigation measures to be carried out by the Company.

The Holder shall develop a conservation plan consistent with the FWS Biological Opinion that will ensure the continued existence of threatened or endangered species is not jeopardized or that their critical habitat is not destroyed or adversely modified.

28. Any active golden eagle nest found within 1 mile of project activities will be protected from harassment during the critical nesting period because of provisions established by the Bald Eagle Protection Act which requires protection of the golden eagle and its nests.
29. For transmission or powerlines, the Company shall meet all requirements contained in Suggested Practices for Raptor Protection on Powerlines. Prior to construction, the Company shall provide the Authorized Officer with drawings which show phase spacings, configurations, and grounding practices for this power distribution line. The Company shall modify any structures not in conformance with Suggested Practices for Raptor Protection on Powerlines as determined by the Authorized Officer.
30. All reserve and produced water pits will be fenced. Reserve pits will be fenced on three sides during drilling operations. The fourth side will be fenced following release of the drilling rig. All fences will be constructed and maintained in accordance with design standards

appended to each permit by the Authorized Officer. All reserve and produced water pits will be dye-tested for leaking into streams when deemed necessary by the Authorized Officer.

31. All river, stream, and wash crossings required for access to project facilities will be at existing roads or bridges, except at locations designated by the Authorized Officer. Culverts or bridges will be installed at points where new permanent access roads cross live streams to allow fish unobstructed passage. Where temporary roads cross drainages or dirt fills, culverts will be installed during construction and removed upon completion of the project. Any construction activity in a perennial stream is prohibited unless specifically allowed by the Authorized Officer. All stream channels and washes will be returned to their natural state as quickly as possible. Such construction, when it would occur on National Forest Land, will be managed under the restrictions in the Forest Service and Department of Agriculture Policy Statement No. 2019, dated July 8, 1980. All construction for stream crossings will also follow the Stream Protection section of the Erosion Control, Revegetation, and Restoration Guidelines stipulation.
32. The riparian zone of stream crossings shall be rehabilitated immediately after construction is completed. Until riparian vegetation is established, the disturbed area shall be protected on each side of the stream to prevent sediment contamination of the stream and/or erosion of the banks.
33. A buffer strip of terrestrial vegetation will be left between staging areas and riparian vegetation adjacent to the stream. Riparian vegetation will not be counted upon as a buffer strip because silt collected by the riparian vegetation might enter the stream during high water periods.
34. Areas subject to mudflows, landslides, mudslides, avalanches, rock falls, and other types of mass movement will be avoided where practical when locating linear facilities. Where avoidance is not practical, the design, based upon detailed field investigations and analyses, will provide measures to prevent the occurrence of mass movements.
35. Watering or other approved dust abatement procedures will be done to prevent severe wind erosion and loss of soil materials during construction.
36. In compliance with the CU Plan, the Company will reclaim the surface of disturbed areas to conform with adjacent terrain by replacing fills in the original cuts, replacing soil material, water barring, and revegetating the surface.
37. In right-of-way or permit clearing in timbered areas, all tree stumps will be cut as low as practical, but not higher than 14 inches. The trees will be limbed and stacked adjacent to the right-of-way. During cleanup, all clearing and grubbing debris (slash), excluding stumps and useable products will be piled for burning or buried as specified by the Authorized Officer.

38. Preclearing of mountain brush and tree-covered areas prior to dozer and maintenance blade work will be required. Preclearing will involve hand cutting brush and trees and removing them to designated areas.
39. The clearing of timber, to reduce fire hazard, will be limited to the right-of-way.
40. Right-of-way clearing in timbered, dense shrub, and scenic areas shall be done in accordance with the approved clearing plan and shall be limited to a minimum width necessary to prevent interference of trees and other vegetation with the facility construction. Authorized Officer may require clearing to be "feathered or graded" with curved or undulating boundaries to lessen visual "tunnel" effect. In locations where the right-of-way enters timber, including dense shrub, from meadows or other open areas, the Authorized Officer may require clearing to be "feathered" into the timber in order to retain maximum natural vegetative patterns. Authorized Officer may require a landscape architect to assist in the design of the clearing plan. Right-of-way clearing in canyons spanned by power lines will be limited to that required to build the line and maintain clearance with the conductor. Trees and shrubs will be cleared by hand on fragile steep slopes and rock areas as identified by the Authorized Officer prior to construction. If any merchantable timber is involved in right-of-way clearing, it must be harvested in accordance with the terms of the BLM/FS timber sale contract.
41. A plan to minimize visual impacts from structures will be required as a part of the CU Plan. The holder will design the pipeline routes and ancillary structures to blend into the existing environment so as to meet the minimum degree of contrast acceptable for the Visual Resources Management Class and Visual Quality Objectives in which the structures would be located. The Authorized Officer will evaluate and approve measures before construction begins.
42. The Company shall paint all permanent structures (on site for a period longer than 90 days after construction) a flat, noncontrasting color that is harmonious with the adjacent landscape. Exceptions to this requirement would be determined on a case-by-case basis by the Authorized Officer because of varying levels of sensitivity, or structures which require safety coloration in accordance with Occupational Safety and Health Administration requirements. Prior to use, color selection will be approved by the Authorized Officer.
43. Prior to any surface disturbing activity, the Company, in consultation with the Authorized Officer and the Wyoming State Historic Preservation Officer, shall make an inventory of all archaeological and historical sites within these (rights-of-way, permits) areas if it has not previously been done. The Company shall develop a cultural resources plan to locate cultural resources which would be directly affected by the project through the use of a Class III field survey. The plan will define inventory extent and intensity of the site-specific surveys.
44. Any cultural resource (historic or prehistoric site or object) discovered by the Company or any person working on his behalf, shall be

immediately reported to the Authorized Officer. The Company shall suspend all operations in the area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer and state to determine appropriate actions to prevent the loss of significant cultural values. The Company will be responsible for the cost of evaluations and for mitigation. Mitigation may include rerouting or excavation, and any decision as to proper mitigation measures will be made by the Authorized Officer after consulting with the Holder.

45. The Company will provide an approved archaeologist to execute and monitor surveys and discoveries during construction of all project facilities.
46. The Company will provide a qualified paleontologist who would be approved by the Authorized Officer. The paleontologist will conduct an intensive survey of all areas to be disturbed according to the significance and mitigation needs. The paleontologist will be available, as needed, during surface disturbance. If the paleontologist determines that values will be disturbed, construction will be halted until appropriate action can be taken.
47. The Company will be required to control off-road vehicular use within these (rights-of-way, permits).

During construction, the Holder shall regulate access and vehicular traffic as required to protect the public, wildlife, and livestock from hazards associated with the project. The Holder shall permit free and unrestricted public access to and upon the right-of-way except in areas designated as restricted by the Holder. All restricted areas shall be approved in advance in writing by the Authorized Officer.

The Holder shall be allowed, with prior written approval from the Authorized Officer, to close the road to public access for limited periods during the construction phase of the project should it be necessary to do so to protect and insure public health and safety. At all other times, the Holder shall permit free and unrestricted public access to and upon the right-of-way.

48. Disturbance of improvements such as fences, roads, and watering facilities during the construction and maintenance of the rights-of-way must be kept to an absolute minimum. Immediate restoration of any damage to improvements to at least their former state will be required. Functional use of these improvements must be maintained at all times. When necessary to pass through a fence line, the fence shall be braced on both sides of the passageway prior to cutting of the fence. A gate acceptable to the Authorized Officer shall be installed in the gate opening and kept closed when not in actual use. Where a permanent road is to be constructed or maintained, cattle guards shall be placed at all fence crossings.
49. If a natural barrier used for livestock control is broken during construction, the holder will adequately fence the area to prevent



drift of livestock. In pronghorn antelope ranges, the fence may have to be constructed in a manner which allows for animal passage. All fencing constructed by the Company will meet FS and BLM design requirements with input from Wyoming Game and Fish Department. Fence specifications will be determined on a case-by-case basis.

50. During construction the Company shall regulate access and vehicular traffic as required to protect the public, wildlife, and livestock from hazards associated with the project. The Company shall permit free and unrestricted public access to and upon the (right-of-way, permit) except in areas designated as restricted by the Holder or Authorizing Officer. All restricted areas shall be approved in writing by the Authorized Officer.
51. A transportation plan will be submitted as part of the CU Plan. This plan will cover approval of temporary, reconstructed, and newly constructed roads and will include clearing work, signing, rehabilitation, and uses associated with transportation needs. Overland access could be specified in lieu of road construction or reconstruction.

Whenever practical "cross country" access will be utilized without clearing vegetation or grading a roadbed. All construction and vehicular traffic is to be confined to the right-of-way or designated access routes, roads, or trails unless otherwise authorized. All temporary work roads to be used for construction will be rehabilitated after construction in accordance with the approved rehabilitation plan. Only one road or access route will be permitted to each site requiring access. Any existing transportation or utility rights-of-way will be used wherever practicable to minimize adverse environmental impacts and the proliferation of separate rights-of-way.

52. Access roads necessary for operation and maintenance of the project will be clearly identified. Some of these access roads may be designated by the authorizing agency as closed for public use, including but not limited to, off-road vehicular travel.
53. The Company shall obtain necessary access permits from the county and Wyoming Highway Department for approach to a county, state, or U.S. highway prior to commencing any construction activity associated with the (grant, permit).
54. The Company shall be responsible for preventive and corrective road maintenance from the beginning to completion of operations under this (grant, permit). This may include, but not be limited to, blading roadway, cleaning ditches and drainage facilities, dust abatement, or other requirements as directed by the Authorized Officer.